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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

09/167522

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(e))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

RATE	FEE
	\$ _____
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL	

RATE	FEE
	\$ _____
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT 1	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	Minus ** 20	
	Independent (37 CFR 1.16(b))	Minus *** 4	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

OR

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT 2	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	Minus **	
	Independent (37 CFR 1.16(b))	Minus ***	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

OR

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT 3	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(c))	Minus **	
	Independent (37 CFR 1.16(b))	Minus ***	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

OR

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.



** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Doclet Number: CE08569R
In re Application of	Lee M. Proctor	
Application Number	09/767,522	Filed January 23, 2001
For	METHOD AND APPARATUS FOR REDUCING RATE DETERMINATION ERRORS AND THEIR ARTIFACTS	
Group Art Unit	2655	Examiner Wozniak, James S.
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.		
The requested extension and appropriate non-small-entity fee are as follows: (Check time period desired):		
<input checked="" type="checkbox"/>	One Month (37 CFR 1.17(a)(1))	\$ 110.00
<input type="checkbox"/>	Two Months (37 CFR 1.17(a)(2))	\$ 420.00
<input type="checkbox"/>	Three Months (37 CFR 1.17(a)(3))	\$ 950.00
<input type="checkbox"/>	Four Months (37 CFR 1.17(a)(4))	\$ 1480.00
<input type="checkbox"/>	Five Months (37 CFR 1.17(a)(5))	\$ 2010.00
<input type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27. Therefore, the amount shown above is reduced by one-half, and the resulting fee is \$	
<input type="checkbox"/>	A check in the amount of the fee is enclosed.	
<input type="checkbox"/>	Payment by credit card. Form PTO-2038 is attached.	
<input checked="" type="checkbox"/>	The Commissioner has already been authorized to charge fees in this application to a Deposit Account.	
<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account Number 502117	
<input checked="" type="checkbox"/>	I have enclosed a duplicate copy of this sheet.	
I am the:		
<input type="checkbox"/>	Applicant/inventor	
<input type="checkbox"/>	Assignee of record of the entire interest. See 37 CFR 3.71.	
<input checked="" type="checkbox"/>	Attorney or agent of record (Registration No.:	44,798)
<input type="checkbox"/>	Attorney or agent under 37 CFR 1.34(a)	
	Registration number if acting under 37 CFR 1.34(a)	44,798
March 15, 2005		
Date		Signature
		Jeffrey K. Jacobs
		Type or printed name
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input checked="" type="checkbox"/>	Total of <u>1</u> form(s) are submitted	
CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop RCB, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: March 15, 2005		
Typed or printed name	Nanette Orr	
Signature		

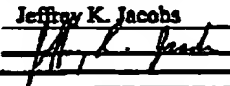
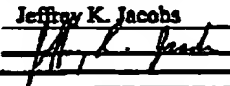
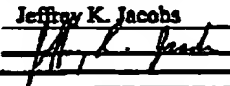
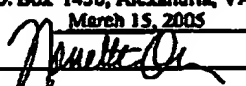
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL													
Address to: Mail Stop RCE Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 60%;">Application Number</td><td>09/767,522</td></tr><tr><td>Filing Date</td><td>January 23, 2001</td></tr><tr><td>First Named Inventor</td><td>Lee M. Proctor</td></tr><tr><td>Group Art Unit</td><td>2655</td></tr><tr><td>Examiner Name</td><td>Wozniak, James S.</td></tr><tr><td>Attorney Docket Number</td><td>CE08569R</td></tr></table>	Application Number	09/767,522	Filing Date	January 23, 2001	First Named Inventor	Lee M. Proctor	Group Art Unit	2655	Examiner Name	Wozniak, James S.	Attorney Docket Number	CE08569R
Application Number	09/767,522												
Filing Date	January 23, 2001												
First Named Inventor	Lee M. Proctor												
Group Art Unit	2655												
Examiner Name	Wozniak, James S.												
Attorney Docket Number	CE08569R												
This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO).													
<p>1. Submission required under 37 C.F.R. 1.114 Note: if the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).</p> <p>a. <input checked="" type="checkbox"/> Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.</p> <p style="margin-left: 20px;">i. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.</p> <p style="margin-left: 20px;">ii. <input type="checkbox"/> Other _____</p> <p>b. <input type="checkbox"/> Enclosed</p> <p style="margin-left: 20px;">i. <input type="checkbox"/> Amendment/Reply</p> <p style="margin-left: 20px;">ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p style="margin-left: 20px;">iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</p> <p style="margin-left: 20px;">iv. <input type="checkbox"/> Other _____</p> <p>2. <input type="checkbox"/> Miscellaneous</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> Suspension of Action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.117(f) required.)</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> Other _____</p> <p>3. <input checked="" type="checkbox"/> Fees The RCE fee under 37 C.F.R. 1.117 (e) is required by 37 C.F.R. 1.114 when the RCE is filed.</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 502117.</p> <p style="margin-left: 40px;">i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. 1.17(e)</p> <p style="margin-left: 40px;">ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. 1.136 and 1.17)</p> <p style="margin-left: 40px;">iii. <input type="checkbox"/> Other _____</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)</p>													
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED													
Name (Printed/Type) Signature	<table style="width: 100%;"><tr><td style="width: 50%;">Jeffrey K. Jacobs </td><td style="width: 50%;">Reg. No. 44,798 Date March 15, 2005</td></tr></table>	Jeffrey K. Jacobs 	Reg. No. 44,798 Date March 15, 2005										
Jeffrey K. Jacobs 	Reg. No. 44,798 Date March 15, 2005												
CERTIFICATE OF MAILING OR TRANSMISSION													
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U. S. Patent and Trademark Office on: <u>March 15, 2005</u>													
Name <u>Nanette Orr</u>	Signature 												

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